

ARTICLE 1 GENERAL PROVISIONS

100 GENERAL

101 AUTHORITY

Under the authority vested in the Planning Board of the City of Taunton by selections 81- Chapter 41 of the General Laws Commonwealth of Massachusetts, and by all other applicable sections of the subdivision control law and other enabling laws, said Planning Board hereby adopts these rules and regulations may cited as the subdivision of land in the City of Taunton. These rules and regulations may be cited as the subdivision regulations of the City of Taunton.

102 PURPOSE

These regulations are adopted to establish standards for and to regulate the subdivision of land in the City of Taunton in accordance with the purposes set forth in the Section 81- and other applicable sections of Chapter 41 of the general laws.

103 INTENT

It is the general intent of these rules and regulations to regulate the division and development of land in the City of Taunton so as to :

- 1) Further the orderly and appropriate use of land in the city ;
- 2) Assure sites suitable for building purposes and human habitation ;
- 3) Coordinate existing streets with proposed streets, parks, or other features of the city.
- 4) Assure the provision of uniform streets and ways throughout the city .
- 5) Assure the provision of required improvements at standards acceptable to the city.

104 JURISDICTION

1) Subdivision control

No person, firm, or corporation shall subdivide any lot, tract, or parcel of land, or construct any streets, utilities, sanitary sewers, storm sewers, water or drainage facilities, buildings, or grade any land in a subdivision until plans have been prepared by a registered professional engineer and registered land surveyor, and submitted to and approved by the Planning Board, as hereinafter provided.

2) Plan Recording; Sale of lots

No subdivision plan shall be recorded, and no lots in a subdivision sold, unless a definitive plan has been approved by the Planning Board as hereinafter provided.

3) Issuance of Building Permits

No building permit shall be issued for a lot within a subdivision unless a definitive plan for such subdivision has been recorded and the lot has been released by the Planning Board, except that the Board of Appeals may by vote grant exception and cause issuance of a building permit if the circumstances of the case do not require that a building be related to a way shown on a subdivision plan.

105 DEFINITIONS

1) Applicant - A property owner, or his agent or representatives, or his assigns. If other than the owner, said owner shall designate same to the board in writing.

2) Board - The Planning Board of the City of Taunton.

3) Designer - Professional Engineer (Civil) and/or land surveyor registered to practice in Massachusetts. All work defined as professional engineering shall be done by or under the direct supervision of a registered professional engineer, and all work defined as professional land surveying shall be done by or under the direct supervision of a registered land surveyor.

4) Easement - A grant of the use of a parcel of land for the use of the public, a corporation, or person, for specified purpose(s).

5) City Engineer - The registered professional engineer acting as the designated agent of the Planning Board.

6) Improvements - Those physical additions, installations and changes, such as streets, curbs, sidewalks, water mains, sewers, drainage facilities, public utilities, and other appropriate items required to render land suitable for the use proposed.

7) Lot - An area of land in one ownership, with definitive boundaries, used, or available for use as the site of one or more buildings.

8) Road or Traveled Way - The portion of a street or right of way intended for vehicular use.

9) Recorded - Shall mean recorded in the registry of deeds of Bristol County, except that as affecting registered land, it shall mean with the recorder of the land court.

10) Street or Way - A way, street, or road open and dedicated to public use including a public way or a way certified by the city clerk to have been used and maintained by public authorities as a public way, a way approved and constructed under the provisions of the subdivision control law, or a way in existence prior to said subdivision control law having become effective in the City of Taunton and having, in the opinion of the board, adequate width, grades and construction for the vehicular traffic and the installation of such municipal services available to serve the land abutting on such way and the buildings erected or to be erected thereon.

11) Subdivision - As defined in Chapter 41, Section 31-L, Massachusetts General Laws.

12) Subdivision Control Law - Sections 81-K to 81-GG of Chapter 41 of the General Laws and any acts in amendment thereof, addition thereto, or substitution therefor.

13) These Rules and Regulations - The “Subdivision Regulations of the City of Taunton” as adopted and amended by the Planning Board pursuant to Section 81-Q of the subdivision control law.

14) City - The City of Taunton, Massachusetts.

15) Utilities - Same as municipal services, may include sanitary sewers, storm water drains, water supply piping, fire alarm conduits, electric and telephone wiring and all appurtenances therefor.

16) Open Space - An area designated by the Planning Board on a definitive subdivision plan in which such area is delineated on the plans as a open space by boundary lines with the words "OPEN SPACE" stated within the delineated area. The NOTE section shall state the terms of the open space and the Certificate of Final Action shall state the purpose of the open space. Open space can be used for maintaining the natural buffer between existing and current development. An open space shall be green spaces or green strips land in which no thinning of more than 25% of the natural cover, ie: trees, bushes and other natural cover.

106 PLANS NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW

1) Criteria

Any plan of land to be recorded which is not a subdivision, according to section 105 11) of these rules and regulations, and Section 81-L of the subdivision control law, (definition of subdivision) does not require the approval of the board. Such plans do require. The board's endorsement as specified below.

2) Submission of Plans

Any person wishing to cause to be recorded a plan which he/she believes is not a subdivision may submit to the board such plan suitable for recording, accompanied by five full size paper copies, by a completed application (Form A, Appendix B), in duplicate, a copy of the plan in digital format compatible with AutoCad R14 and by other evidence necessary to enable the board to determine that the plan does not show a subdivision within the meaning of these rules and regulations and the subdivision control law.

Each plan submitted under this section is to be accompanied by a fee of one hundred dollars (\$100.00) plus \$25.00 per parcel shown on the plan

3) Endorsement of Plan not Requiring Approval

If the board or designee determines that the plan does not require approval under the subdivision control law, it shall, without a public hearing and within fourteen (14) days from the date of submission, endorse on the plan the words "approval under the subdivision control law not required", in the space provided therefor.

4) Determination that Plan Requires Approval

If the board determines that the plan does require approval under these rules and regulations and the subdivision control law, it will so inform the applicant in writing, and return the plan. The board will also notify the city clerk in writing of its action.

5) Failure of Board to act

If the board fails to act upon a plan submitted under this section, or fails to notify the city clerk and the person submitting the plan of its action within fourteen (14) days after its submission, it shall be deemed that approval under these rules and regulations is not required, and it shall thereafter make such endorsement on said plan, and on its failure to do so, the city clerk shall issue a certificate to that effect.

6) Information to be Included on Plans

(A) The parcels under consideration and the streets on which they front (shadowing of the perimeter of the parcel or the area being considered should be shown on the mylar plan and paper prints of

same); dash lines should be used to indicate original or former boundary in the case where an additional parcel is being added to same.

(B) A locus map identifying the location of the parcels;

(C) A statement of the reason for submitting the plan, explaining the change in ownership and lot lines that are occurring;

(D) A title of the plan in a title block;

(E) A reference to the page and book number of the land or lands prior to change, also a copy of the existing deed be attached;

(F) The registered land surveyor's stamp and signature;

(G) North Arrow with Basis for Bearings:

(H) The date of endorsement;

(I) "Planning Board endorsement shall not be construed as an approval or endorsement of zoning requirements, other than frontage; ordinance, or a note mentioning an applicable board of appeals' decision";

(J) Zoning district;

(K) Lot designations and areas for each;

(L) Names of owners of all abutting land as they appear on the most recent City of Taunton tax records;

(M) The metes and bounds, lines, bearings, dimensions and areas of the lot or lots and radii, lengths of curved property lines. Mass State Plane Coordinate System coordinates shall be provided for all ends of lines or arcs along the perimeter of the subdivision as well as at each roadway bound to be set. The traverse used to tie-in to officially recognized permanent bounds with known state plane coordinates must be shown and shall include permanent marked points spaced a maximum of 500 feet apart. Proof of closure must also be provided.;

(N) Any buildings affected by such division of land; also show all buildings on the locus;

(O) Show the location of all easements and their widths;

(P) Indicate a distance from the property corner to the nearest intersecting street;

(Q) Show the layout of the street;

(R) Any existing drainage structures I.E. headwalls, pipes, sewers etc. identified;

(S) Graphic representation of scale (linear and metric) to be shown;

(T) A statement on the plan indicates that each lot has individual access from a street way within its perimeters.

(U)- Show a wetlands line that has been accepted and approved by the Taunton Conservation Commission or Superseding Authority. Also, any waterbodies and/or streams with their approved designations shall be shown

107 REFERRAL FORM H WILL BE UTILIZED TO GATHER INPUT FROM THE FOLLOWING DEPARTMENTS

Department of Public Works	Engineering Division
Department of Public Works	Sewer Division
Department of Public Works	Water Division
Department of Park and Recreation	Tree Warden
Cable Commissioner	

(See Appendix B)